THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.1318 OF 2007

ORAL ORDER:

This writ petition is filed aggrieved by the action of the 2nd respondent-Sub-Registrar, Gopalapatnam in refusing to register the document presented before him for registration in respect of the land measuring 90 cents in Sy.No.1, 7 of T.D.No.488 of Purushottapuram village, Lakshmipuram Gram Panchayat, Pendurthi mandal, Visakhapatnam district as arbitrary, illegal and contrary to the provisions of the Registration Act.

The learned counsel for the petitioner while submitting that the issue involved in this writ petition is squarely covered by the decision of the Supreme Court in **State of Rajasthan v. Basant Nahata**[1], contended that Section 22-A of the Registration Act, as amended by the State of Andhra Pradesh is *ultra vires* and, therefore, the impugned action of the respondents is arbitrary and illegal. The same has not been disputed by the learned Government Pleader appearing for the respondents.

Accordingly, the writ petition is disposed of with a direction to the respondents to accept the document in question and take action for registration in accordance with law. No costs.

(G. ROHINI).

25th January, 2006.
Issue CC in two days.
Kgr

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.1318 OF 2007

25th January, 2007.

Between:

Dasari Appalanaidu and others. .. Petitioners.

And

Government of Andhra Pradesh, represented by
Principal Secretary, Revenue Secretariat,
Hyderabad and another. .. Respondents.

---

[1] 2005 (12) SCC 77..